**South Carolina General Assembly**

124th Session, 2021-2022

**S. 984**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Hembree, Massey, Gustafson and Rankin

Document Path: l:\council\bills\nbd\11309dg22.docx

Introduced in the Senate on January 13, 2022

Introduced in the House on April 19, 2022

Last Amended on May 12, 2022

Currently residing in the House

Summary: Service fee

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/13/2022 Senate Introduced and read first time ([Senate Journal‑page 3](file:///h:\sj\20220113.docx))

1/13/2022 Senate Referred to Committee on **Finance** ([Senate Journal‑page 3](file:///h:\sj\20220113.docx))

3/29/2022 Senate Committee report: Favorable **Finance** ([Senate Journal‑page 15](file:///h:\sj\20220329.docx))

3/31/2022 Senate Read second time ([Senate Journal‑page 42](file:///h:\sj\20220331.docx))

4/7/2022 Senate Amended ([Senate Journal‑page 19](file:///h:\sj\20220407.docx))

4/7/2022 Senate Read third time and sent to House ([Senate Journal‑page 19](file:///h:\sj\20220407.docx))

4/7/2022 Senate Roll call Ayes‑32 Nays‑7 ([Senate Journal‑page 19](file:///h:\sj\20220407.docx))

4/19/2022 House Introduced and read first time ([House Journal‑page 211](file:///h:\hj\20220419.docx))

4/19/2022 House Referred to Committee on **Ways and Means** ([House Journal‑page 211](file:///h:\hj\20220419.docx))

4/28/2022 House Committee report: Favorable with amendment **Ways and Means** ([House Journal‑page 11](file:///h:\hj\20220428.docx))

5/5/2022 House Debate adjourned ([House Journal‑page 72](file:///h:\hj\20220505.docx))

5/5/2022 House Requests for debate‑Rep(s).  Stavrinakis, Rutherford, Hardee, Crawford, Wetmore, Burns, Haddon, Magnuson, Nutt, GR Smith, Trantham, May, McCabe, McGarry, Rivers, Kirby, S Williams, McGinnis, Chumley, Long ([House Journal‑page 73](file:///h:\hj\20220505.docx))

5/11/2022 House Requests for debate removed‑Rep(s).  McGarry, Kirby ([House Journal‑page 59](file:///h:\hj\20220511.docx))

5/11/2022 House Debate adjourned ([House Journal‑page 95](file:///h:\hj\20220511.docx))

5/11/2022 House Roll call Yeas‑57 Nays‑54 ([House Journal‑page 95](file:///h:\hj\20220511.docx))

5/11/2022 House Reconsidered ([House Journal‑page 200](file:///h:\hj\20220511.docx))

5/11/2022 House Amended ([House Journal‑page 200](file:///h:\hj\20220511.docx))

5/11/2022 House Read second time ([House Journal‑page 200](file:///h:\hj\20220511.docx))

5/11/2022 House Roll call Yeas‑112 Nays‑1 ([House Journal‑page 205](file:///h:\hj\20220511.docx))

5/12/2022 House Read third time and returned to Senate with amendments ([House Journal‑page 108](file:///h:\hj\20220512.docx))

5/12/2022 Senate House amendment amended ([Senate Journal‑page 83](file:///h:\sj\20220512.docx))

5/12/2022 Senate Returned to House with amendments ([Senate Journal‑page 83](file:///h:\sj\20220512.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=984&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

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~~Indicates Matter Stricken~~

Indicates New Matter

HOUSE AMENDMENTS AMENDED - RETURNED TO HOUSE

May 12, 2022

**S. 984**

Introduced by Senators Hembree, Massey, Gustafson and Rankin

S. Printed 5/12/22--S.

Read the first time April 19, 2022.

**A** **BILL**

TO AMEND SECTION 6‑1‑300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; AND TO AMEND SECTION 6‑1‑330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 6‑1‑300(6) of the 1976 Code is amended to read:

“(6) ‘Service or user fee’ means a charge required to be paid in return for a particular government service or program ~~made available to the payer that benefits the payer in some manner different from the members of the general public not paying the fee~~. ‘Service or user fee’ also includes ‘uniform service charges’. The revenue generated from the fee must:

(a) be used to the benefit of the payers, even if the general public also benefits;

(b) only be used for the specific improvement contemplated;

(c) not exceed the cost of the improvement; and

(d) be uniformly imposed on all payers.”

SECTION 2. Section 6‑1‑330(A) of the 1976 Code is amended to read:

“(A) A local governing body, by ordinance approved by a positive majority, is authorized to charge and collect a service or user fee. A local governing body must provide public notice of any new service or user fee being considered and the governing body is required to hold a public hearing on any proposed new service or user fee prior to final adoption of any new service or user fee. Public comment must be received by the governing body prior to the final reading of the ordinance to adopt a new service or user fee. A fee adopted or imposed by a local governing body prior to December 31, 1996, remains in force and effect until repealed by the enacting local governing body, notwithstanding the provisions of this ~~section~~ article.”

SECTION 3. Section 6-1-330 of the 1976 Code is amended by adding appropriately lettered new subsections to read:

“( ) A local governing body that repealed a road maintenance fee after June 30, 2021, and subsequently approved a millage increase for road maintenance, must repeal the millage imposed to replace the previous road maintenance fee before reimposing the road maintenance fee.

( ) A local governing body that imposes a user or service fee pursuant to Section 6-1-300(6) must publish the amount of dollars annually collected on each fee on the county’s website.”

SECTION 4. Notwithstanding Section 8‑21‑30, et seq., no public officer shall be personally liable for any amount charged pursuant to SECTION 1.

SECTION 5. This act takes effect upon approval by the Governor and applies retroactively to any service or fee imposed after December 31, 1996.

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